

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated February 9, 2005, claims 1-22 are pending in the application. Applicants respectfully request the Examiner for reconsideration of the rejections.

Claims 1-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Brown* (6,338,012) in view of *Schubert* (5,941,920).

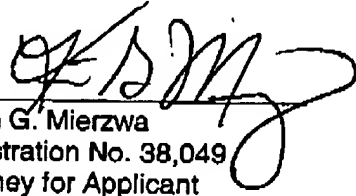
The *Brown* reference was assigned to Ford Global Technologies, Inc. at the time of filing. The present application was also assigned to Ford Global Technologies, Inc. Therefore, under 35 U.S.C. §103(c), "subject matter developed by another person, which qualifies as prior art only under one or more subsections(e) ... of §102 of this Title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person." Therefore, Applicants respectfully submit that the *Brown* reference is no longer suitable for rejection under §103(a).

The *Schubert* reference is directed to a control for an active suspension system for a vehicle. The *Schubert* reference has an active vibration isolator mounted between the chassis and the cab of the vehicle. The isolator moves the cab relative to the chassis in response to a control signal generated by a control circuit. Although this system is "an active suspension", the system has nothing to do with the rollover of the vehicle. Specifically, each of the claims includes a rollover sensor or sensing imminent rollover of the vehicle. The *Schubert* reference merely teaches a method for controlling or isolating vibrations from the cab or body of the vehicle. As mentioned in Col. 17, lines 25-28, roll of the vehicle may be controlled. However, this refers rolling of the cab and not rollover of the vehicle itself.

Therefore, Applicants respectfully submit that Claims 1-22 are allowable in view of the *Brown* reference and the *Schubert* reference.

In light of the above amendments and remarks, Applicants believe that all rejections are now overcome. Should the Examiner have any questions or comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Respectfully submitted,


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